

Resolution Approving Financing Terms

WHEREAS: The Town of Matthews (the "Town") has previously determined to undertake a project for the financing roof repairs and improvements, (the "Project"), and the Town Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated January 7, 2016. The amount financed shall not exceed \$700,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.89 %, and the financing term shall not exceed 10 years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of January, 2016.

By: [Signature]
(Clerk)

By: [Signature]
(Mayor)

SEAL

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING
AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the Town of Matthews desires to finance improvements to the real property at 100 McDowell Street, Matthews NC 28105 (the "Project") for the following reasons:

1. The Town is the owner/occupier of the building.
2. The Town desires to improve and extend the useful life of an asset within its current municipal building inventory by repairing the roof to ensure its long-term structural integrity.

WHEREAS, the Town intends to finance this project by borrowing funds not exceeding \$700,000 and securing the loan by granting a security interest on the real property in favor of the lender in accordance with the provisions of 160A, Article 3, Section 20 of the North Carolina General Statutes; and

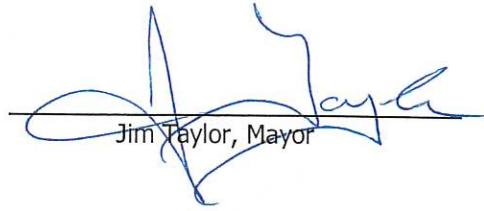
WHEREAS, findings of fact by this governing board must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of Matthews that the Town make the following findings of fact:

1. A proposed financing contract is necessary because the cost of the improvements to the real property exceeds the amount that can be prudently raised from currently available appropriations or available fund balance.
2. An installment purchase contract is preferable to a general obligation bond issue due to:
 - a. The relatively low amount of financing needed,
 - b. The ability to collateralize using the real property,
 - c. The competitive market for short term financing,
3. The sums to fall due under the contract would be adequate and not excessive for the proposed purpose as the Town has significant debt capacity available to handle this short term financing.
4. The Town of Matthews' debt management procedures and policies are in good standing as the General Fund is using only 3.42% of its available debt margin.
5. The Town of Matthews is not in default in any of its debt service obligations.
6. The attorney for the Town of Matthews has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended to the Constitution and laws of North Carolina.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Finance Officer is hereby authorized to act on behalf of the Town of Matthews in filing an application with the North Carolina Local Government Commission for approval of the Project and obtaining a proposal of financing agreement that acts in the best interest of the Town, and other actions not inconsistent with this resolution.

ADOPTED, this the **11th** day of **January, 2016**.



Jim Taylor, Mayor

{SEAL}

Attest:



Lori Canapinno, Town Clerk

**AMENDED RESOLUTION CONFIRMING ASSESSMENT ROLL AND
LEVYING ASSESSMENTS FOR OSCAR DRIVE BY
THE TOWN BOARD OF COMMISSIONERS**

WHEREAS, on the 14th day of December, 2015, the Town Board of Commissioners of the Town of Matthews held a public hearing and, after due notice as required by law, affirmed the Assessment Roll for Oscar Drive improvements as set forth in a Resolution dated December 14, 2015; and

WHEREAS, Assessments set forth in the aforesaid Resolution were levied pursuant to authority granted by N.C.G.S. 160A-216; and

WHEREAS, the Town Clerk has delivered to the Mecklenburg County Tax Collector the Assessment Roll; and

WHEREAS, the Mecklenburg County Tax Collector is charged with the collection of the assessments in accordance with procedures established by law; and

WHEREAS, a Notice of Confirmation of Assessment Roll and Levying of Assessments was published as required by law on January 6, 2016, pursuant to which Notice the assessments were payable in cash without interest if paid prior to February 5, 2016, or payable in eight (8) equal annual installments bearing interest at the rate of five-percent (5%) per annum, the first installment with interest due and payable on February 12, 2016, and the succeeding installments with interest due and payable on the same date in each succeeding year until the assessments are paid in full; and

WHEREAS, the process for billing and collecting the assessments was unable to be setup prior to February 5, 2016; and

WHEREAS, the process for billing and collecting the assessments has now been setup.

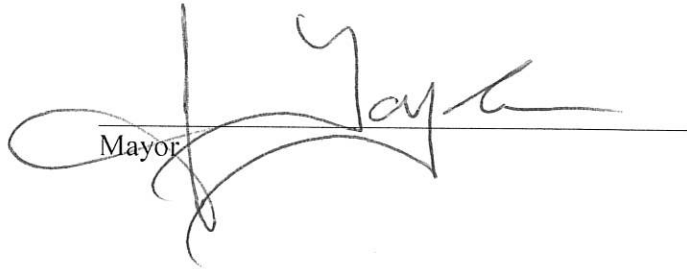
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that:

1. Paragraph 3 of the Resolution Confirming Assessment Roll and Levying Assessments For Oscar Drive adopted December 14, 2015 is hereby rescinded.
2. The Mecklenburg County Tax Collector is hereby directed to publish a new Notice of Confirmation of the Assessment Roll, which Notice shall set forth the following terms of payment of the assessments:
 - a. The assessments may be paid in full without interest if paid within 30 days of publication of the Notice; and

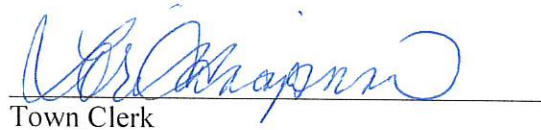
- b. If the assessment is not paid in full within 30 days of publication of the Notice, then the assessment shall be payable in up to eight (8) equal annual installments, with interest thereon at the rate of five percent (5%) per annum, with the first installment payment to become due and payable within 30 days of publication of the Notice, and each succeeding annual installment is to become due and payable on the same date in succeeding years until the assessment is paid in full.

3. The Mecklenburg County Tax Collector is authorized to take such actions as are necessary to carry out the intent of this Amended Resolution.

ADOPTED this 25th day of February, 2016.


Mayor

ATTEST:


Town Clerk

RESOLUTION

CONCERNING STUDENT ASSIGNMENTS AND NEIGHBORHOOD SCHOOLS

WHEREAS, the Mayor and Board of Commissioners serve as advocates for the residents of Matthews in providing the best educational opportunities for all children; and

WHEREAS, the Mayor and Board of Commissioners believe that parental involvement is a key factor for every student, and proximity and accessibility plays a vital role in this involvement; and

WHEREAS, the Mayor and Board of Commissioners have repeatedly encouraged the Board of Education to support local neighborhood schools as a priority, with choice options available to parents and reaffirms this position now; and

WHEREAS, the Charlotte-Mecklenburg Board of Education has recently approved goals for student assignment which did not guarantee the placement of students in local neighborhood schools; and

WHEREAS, the Town of Matthews emphatically supports local neighborhood schools and will seek options to provide local neighborhood schools to the students of Matthews and surrounding communities; and

WHEREAS, the Mayor and Board of Commissioners have repeatedly endorsed their community Vision Statements which include: "Locally Controlled, Neighborhood Schools" where oversight of the public schools in Matthews has shifted from regional governance to town governance; and

WHEREAS, the Town of Matthews will form a Mayoral Task Force on Educational Needs to investigate and evaluate all options available in providing all Matthews children access to local neighborhood schools; and

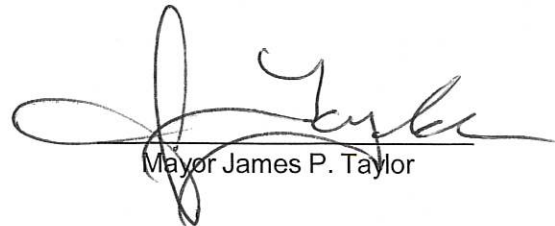
WHEREAS, these options may include, but are not limited to the creation of a Matthews school district; the formation of town-controlled charter schools; and the breakup of Charlotte-Mecklenburg Schools into three separate districts: North Mecklenburg, Middle Mecklenburg and South Mecklenburg.

NOW THEREFORE BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of Matthews hereby strongly encourage the Charlotte-Mecklenburg Board of Education to reaffirm the Guiding Principles For Student Assignment that guarantees assignment for every child to attend a school close to his or her home, a school near their parents place of employment by parental choice or a Magnet school by parental choice.

NOW THEREFORE BE IT ALSO RESOLVED that the Mayor and Board of Commissioners will work diligently with the North Carolina General Assembly to seek the authority to create the Matthews School District in order to better serve the citizens and families of the Town of Matthews in the education of their children.

This the 14th day of March, 2016.




Mayor James P. Taylor

RESOLUTION OPPOSING LEGISLATION THAT DIMINISHES LOCAL GOVERNMENTAL CONTROL

WHEREAS, on February 22, 2016 the Charlotte City Council enacted a local ordinance regarding discrimination in its jurisdiction; and

WHEREAS, in response, on March 23, 2016 in special session the North Carolina General Assembly ratified, and Governor McCrory signed, legislation reversing and undoing a local ordinance, imposing new restrictions on contracting authority and effectively stripping all North Carolina cities and towns of their ability to govern their citizens in the manner that suits them best; and

WHEREAS, in recent years the North Carolina General Assembly has taken extreme measures to diminish the legislative authority of local governments in multiple ways, including shifting control of Asheville's water system, overturning local governments' bans on guns in public parks and restricting local governments' regulations on development and home design; and

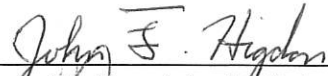
WHEREAS, the Matthews Board of Commissioners strongly believes in the concept of local control over matters of local concern and that it is the role of the duly elected legislative body of the Town of Matthews to prevent the usurpation of its power to self-govern by the North Carolina General Assembly; and

WHEREAS, a continuing pattern of legislative indifference and opposition to municipal and county governments' desire for local control has become increasingly intrusive; and

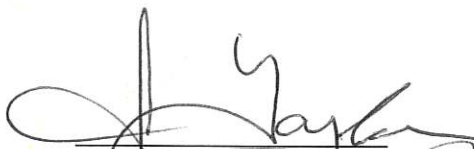
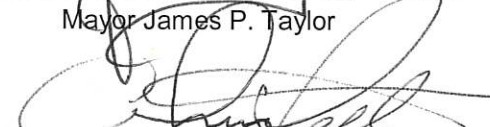
WHEREAS, local solutions arrived at by open, collaborative processes are preferable to legislative-interference.

NOW, THEREFORE, I, James P. Taylor, Mayor of the Town of Matthews, on behalf of the Board of Commissioners and the citizens of Matthews, North Carolina, do hereby call upon the North Carolina General Assembly to cease its interference in matters of local control and allow municipal and county governments to govern their citizens in the manner they deem appropriate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Matthews to be affixed this 25th day of April, 2016.

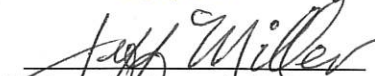
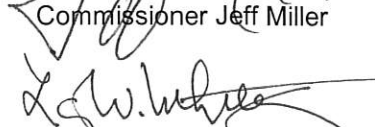

Mayor Pro Tem John F. Higdon


Commissioner John Ross


Mayor James P. Taylor

Commissioner Christopher Melton


Commissioner John Urban



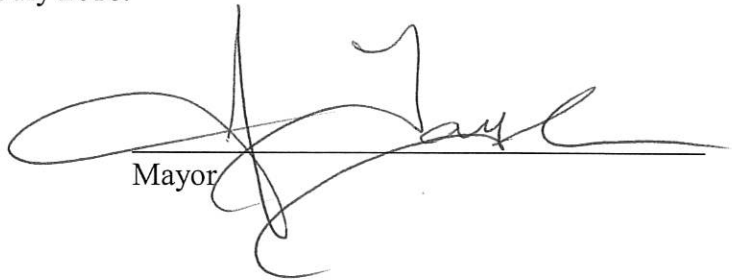

Commissioner Jeff Miller

Commissioner Larry Whitley

RESOLUTION ADDING STREET TO THE TOWN'S STREET SYSTEM

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system Chaphyn Connector between its intersections with Chaphyn Lane and South Trade Street.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds Chaphyn Connector to the Town's street system.

RESOLVED, this the 11th day of July 2016.


Mayor

ATTEST:


Town Clerk

RESOLUTION ADDING STREET TO THE TOWN'S STREET SYSTEM

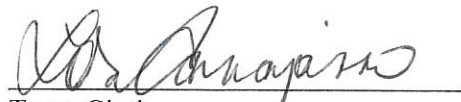
PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system a street in the Forest Brook Estates subdivision known as Oscar Drive.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds Oscar Drive located within the Forest Brook Estates subdivision to the Town's street system.

RESOLVED, this the 8th day of August 2016.


Mayor

ATTEST:


Town Clerk

RESOLUTION

ENDORISING A NORTH CAROLINA PESTICIDE TASK FORCE

WHEREAS, pollinators, both native and managed, support North Carolina's \$84 billion agriculture industry through pollinating crops; and

WHEREAS, regulatory bodies across the world, including the Environmental Protection Agency, have, and continue to, acknowledge the adverse effects of neonicotinoid insecticides on pollinator health; and

WHEREAS, the water solubility of neonicotinoid insecticides has been documented across the United States and can thereby lead to contamination of North Carolina's rivers, streams, estuaries, and coastal waterways; and

WHEREAS, aquatic invertebrate species are crucial to the ecosystems that support North Carolina's aquatic life, including the blue crab (*Callinectes sapidus*); and

WHEREAS, the North Carolina Department of Environmental Quality is not testing for neonicotinoid insecticides in North Carolina's waterways at the time of this endorsement; and

WHEREAS, the North Carolina Pesticide Board has the authority to investigate all matters relating to pesticides in North Carolina to fully understand the scope of their impact; and

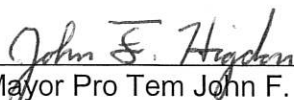
WHEREAS, it is imperative that the Board receive a non-biased, objective opinion on the potential impact of neonicotinoid insecticides to that it may make the most informed decision possible regarding the impacts of these insecticides on pollinators, aquatic invertebrates, and other species; and

WHEREAS, it is mentioned in Article XIV, Section 5 in the North Carolina State Constitution that, "It shall be the policy of this State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions to acquire and preserve park, recreational, and scenic areas, to control and limit the pollution of our air and water, to control excessive noise, and in every other appropriate way to preserve as a part of the common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty."

NOW THEREFORE BE IT RESOLVED by the Town of Matthews that the Town endorses the creation of a task force by the North Carolina Pesticide Board to investigate that environmental fate and impact of neonicotinoid insecticides on pollinators and aquatic invertebrate species. Furthermore, the city endorses this task force putting forth policy recommendations that will benefit the flora and fauna of North Carolina with the respect to maintaining the agricultural industry as a top priority in North Carolina's economy.

This the 12th day of September, 2016.




Mayor Pro Tem John F. Higdon

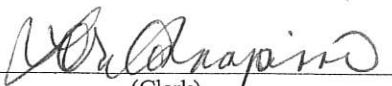
Resolution Approving Financing Terms

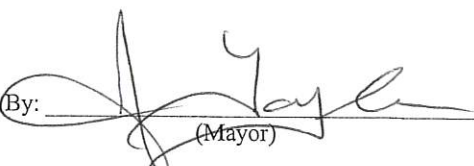
WHEREAS: The Town of Matthews (the "Town") has previously determined to undertake a project for the financing of a fire truck, (the "Project"), and the Town Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated September 21, 2016. The amount financed shall not exceed \$405,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.74%, and the financing term shall not exceed six (6) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 26th day of September, 2016.

By: 
(Clerk)

By: 
(Mayor)

SEAL

RESOLUTION

EXEMPTING RICE ROAD PARK DESIGN DOCUMENTS FROM NORTH CAROLINA GENERAL STATUTE 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; Rice Road Park design documents; and

WHEREAS, the Town of Matthews proposes to enter into one or more contracts for design services for work on Rice Road Park design documents; and

WHEREAS, G.S. 143-64.32 authorizes units of government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.32 if the estimated fee is less than \$50,000; and

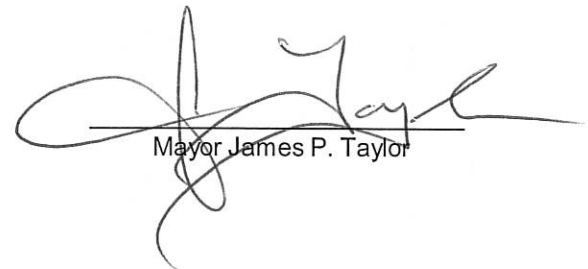
WHEREAS, the estimated fee for design services for the above-described project is less than \$50,000; and

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF MATTHEWS RESOLVES:

Section 1. The above-described project is hereby exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

This the 26th day of September, 2016.



Mayor James P. Taylor

RESOLUTION

AUTHORIZING THE UPSET BID PROCESS FOR THE PURCHASE OF PROPERTY LOCATED AT 1021 MATTHEWS-MINT HILL ROAD


WHEREAS, the Board of Commissioners of the Town of Matthews desires to dispose of certain surplus property of the Town of Matthews; and

WHEREAS, North Carolina General Statute §160A-269 permits the Town of Matthews to sell property by upset bid, after receipt of an offer for the property;

NOW THEREFORE, BE IT RESOVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MATTHEWS:

1. The following described property is hereby declared to be surplus to the needs of the Town of Matthews: certain property located at 1021 Matthews-Mint Hill Road in Matthews, North Carolina, as described with the Mecklenburg County Register of Deeds in book 29476 and page 296 and being further described as parcel 19329404 and known as the former water tower site.
2. The Town of Matthews has received an offer to purchase for the sum of \$41,600 the property described above. The entity making the offer must deposit with the Town clerk a sum equal to 5% of the offer in certified funds.
3. The Board of Commissioners proposes to accept the offer unless a qualifying upset bid shall be made.
4. The Town Clerk shall cause a notice of such offer to be published in accordance with General Statute §160A-269.
5. Alternate persons wishing to upset the offer must submit a written bid to the Town Clerk within ten (10) days after publication of the notice. The entity making the bid must deposit with the Town Clerk a sum equal to five percent (5%) of the upset bid in certified funds. Once a qualifying upset bid has been received, that bid will become the new offer.
6. If a qualifying higher bid is received, the Town Clerk is directed to re-advertise the offer at the increased upset bid amount, and to continue with this process until a ten (10) day period has passed without receipt of a qualifying upset bid.
7. The terms of the final sale are that:
 - a. The Matthews Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - b. The buyer must pay with cash or certified funds at the time of closing.
8. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

This the 26th day of September, 2016.



Mayor James P. Taylor

RESOLUTION ADDING STREETS TO THE TOWN'S STREET SYSTEM

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system from the Hampton Green Subdivision:

Talbot Court from Whitefriars Lane to Fullwood Lane

FURTHER, PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system from the Pleasant Ridge Subdivision:

Kings Manor Court from Pleasant Plains Road to
End

Hamlet Court from Kings Manor Court to End

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds Talbot Court from Whitefriars Lane to Fullwood Lane in the Hampton Green Subdivision and Kings Manor Court from Pleasant Plains Road to end and Hamlet Court from Kings Manor Court to end in the Pleasant Ridge Subdivision to the Town's street system.

RESOLVED, this the 14th day of November 2016.


Mayor

ATTEST:


Town Clerk